

REMARKS

In the Drawings

The drawings were objected to under 37 CFR 1.83 (a) because they did not show the releasable decoy. Figure 3 has been amended to show a releasable decoy 54'. No new matter has been added by this amendment. The releasable decoy is disclosed in the specification, but was previously not shown. [See p. 16, l. 16.] Additionally, Figure 1 is amended to include labels as well as numbers. Applicant submits a complete set of formal drawings and submits that the corrected drawings are no longer objectionable.

In the Specification

Applicant amends the specification to include a reference to the releasable decoy now shown in Figure 3. No new matter has been added by this amendment. [See p. 16, l. 16.]

In the Claims

Claims 44 and 46 through 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becker (U.S. Patent No. 4,662,265), Gassler (U.S. Patent No. 4,681,014), Grosso (U.S. Patent No. 5,425,514), and Finkelstein (U.S. Patent No. 3,245,318). Additionally, Claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Becker, Gassler, Grosso, and Finkelstein (U.S. Patent No. 3,245,318), as applied to claim 44, and in further view of Null (U.S. Patent No. 4,149,166). The following amendments place the rejected claims in better form for appeal.

Applicant amends independent claim 44 to refer to a self-propelled countermeasure cartridge. [See *supra*, p.3, l. 5] This amendment adds no new matter. [Specification, p. 15, ll. 16 - 17] This amendment further distinguishes the present invention from the prior art. The countermeasure cartridge of the present invention is self-propelled

meaning a propulsion module, such as a rocket motor, exhibits a comparatively slow burn. In contrast, the weapon platform in Becker is designed for fired projectiles. These weapons use gun powder to propel the projectile from the tube and on its course. Similarly, Grosso is directed to a spin stabilized guidance system which is an onboard control system used to control flight path.

5 It is designed for fired projectiles as well.

Additionally, Applicant amends Claim 44 to state countermeasure cartridge. [See *supra*, p.3, l. 12] The word cartridge was inadvertently omitted in the last Amendment.

10 Finally, Applicant amends Claim 44 to state that the countermeasure cartridge remains trained in azimuth during launch. [See *supra*, p.3, ll. 17-18] This amendment adds no new matter. [Specification, p. 20, ll. 9 - 11] It further distinguishes Applicant's invention from the prior art because no prior art cited discloses a countermeasure cartridge having a guide key cooperable with the tube longitudinal keyway said guide key and said keyway being disposed for interaction to effect non-rotational axial movement throughout a substantial portion of the launch such that the countermeasure cartridge remains trained in azimuth.

15 Applicant submits that this Amendment complies with the Examiner's requirements of form as expressly set out in the last Office Action and presents the rejected claims in better form for appeal. Applicant respectfully requests that the Examiner accept this Amendment.

20 The Commissioner is hereby authorized to charge any additional filing fees or credit any overpayment to Deposit Account No. 50-2346.

If the Examiner feels that a telephone conference with Applicant's attorney would advance the prosecution of the application, she is invited to call the undersigned at 502-562-7319.

Respectfully submitted,



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